



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

ATTORNEY DOCKET NO.

SERIAL NUMBER

FILING DATE

FIRST NAMED INVENTOR

08/7032,238

09/17/97

FUJICEDA

1 046782  
EXAMINER

MAR 12 1999  
SUGHRUE MCLELLAN ZINN MACPEAK & SEARS  
2100 PENNSYLVANIA AVENUE NW  
SUITE 800  
WASHINGTON DC 20037

ART UNIT PAPER NUMBER

14

2878  
DATE MAILED:

12/03/99

Below is a communication from the EXAMINER in charge of this application  
COMMISSIONER OF PATENTS AND TRADEMARKS

ADVISORY ACTION

THE PERIOD FOR RESPONSE:

from the date of the Final Rejection.

is extended to run

continues to run from the date of the Final Rejection.

expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for response expire later than six months from the date of the Final Rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.136(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date that the shortened statutory period for response expires as set forth above.

Appellant's Brief is due in accordance with 37 CFR 1.192(a).

Applicant's response to the final rejection, filed 11/24/99, has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1.  The proposed amendments to the claim and/or specification will not be entered and the final rejections stands because:

- a.  There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
- b.  They raise new issues that would require further consideration and/or search. (See Note)
- c.  They raise the issue of new matter. (See Note)
- d.  They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- e.  They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE:

2.  Newly proposed or amended claims would be allowed if submitted in a separately filed amendment canceling the non-allowable claims.

3.  Upon the filing of an appeal, the proposed amendment  will be  will not be, entered and the status of the claims in this application would be as follows:

Allowed claims: None

Claims objected to: None

Claims rejected: 1-6 and 43-52

However:

a.  The rejection of claims

b.  The rejection of claims

on references is deemed to be overcome by applicant's response on non-reference grounds only is deemed to be overcome by applicant's response

4.  The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection.

5.  The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

The proposed drawing correction  has  has not been approved by the examiner.

Other

Que T. Le  
Primary Examiner